

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

YEHUDA KATZ, individually and on
behalf of all others similarly situated,

14 Civ. 740 (PAC)

Plaintiff,

against

THE DONNA KARAN COMPANY LLC; THE
DONNA KARAN COMPANY STORE LLC;
AND DONNA KARAN INTERNATIONAL
INC.,

Defendants.

**DECLARATION OF CHARLES S. SIMS
IN SUPPORT OF DEFENDANTS' MOTION TO DISMISS**

I, Charles S. Sims, declare as follows:

1. I am a member of Proskauer Rose LLP, attorney for Defendants The Donna Karan Company LLC, The Donna Karan Company Store LLC, and Donna Karan International Inc. I submit this declaration to place before the Court certain relevant documents in support of defendants' Motion to Dismiss the First Amended Complaint.
2. Attached as Exhibit A is a true and correct copy of plaintiff's First Amended Complaint, dated May 6, 2014.
3. Attached as Exhibit B are a true and correct image and a true and correct record, both redacted pursuant to Fed. R. Civ. P. 5.2(a)(4), of the receipt given to plaintiff on February 2, 2014 at 420 West Broadway, New York, NY 10012, which is referenced in and integral to the First Amended Complaint.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on July 28, 2014.



CHARLES S. SIMS